

SUMMARY RECORD OF THE 33rd MEETING

Chairman: Mr. PIRSON (Belgium)

Chairman of the Advisory Committee on Administrative and
Budgetary Questions: Mr. MSELLE

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The meeting was called to order at 11.05 a.m.

AGENDA ITEM 104: PERSONNEL QUESTIONS (continued)

(a) COMPOSITION OF THE SECRETARIAT (continued) (A/34/408, A/C.5/34/CRP.2, 3 and 4)

1. Mr. CROM (Netherlands) observed that the debate on the composition of the Secretariat was somewhat comparable to the discussion on the scale of assessments: they both illustrated the individual interests of Member States, on the one hand, and the over-all interest of the United Nations as a whole, on the other. The difference between the two debates was that whereas in the latter, the Committee was dealing with complicated arithmetic, in the former it was dealing with the implementation of General Assembly resolution 33/143. The Assembly had taken a very far-reaching decision and it was the Committee's responsibility to see that it was implemented for the benefit of the Organization as a whole.
2. His delegation found the Secretary-General's report (A/34/408) generally satisfactory and considered it a good start in the implementation of resolution 33/143. It was only an interim report, and the Secretariat should be allowed more time to implement the resolution and submit a report to the next session of the Assembly which could serve as a basis for an in-depth analysis of United Nations personnel policies, particularly since it would be an off-budget year.
3. Mr. Jonah had rightly observed that resolution 33/143 merely established guidelines which were in no way meant to affect the discretionary powers conferred on the Secretary-General in Article 97 of the Charter in his capacity as Chief Administrative Officer of the Organization or to obscure the need for Secretariat staff which met the highest standards of efficiency, competence and integrity, as laid down in Article 101 of the Charter.
4. With regard to the promotion of General Service staff to the Professional category, there still appeared to be differences between the staff representatives and the Administration despite detailed consultations. Since it was an extremely sensitive issue requiring more care than speed and since harmonious relations between the Administration and the staff were essential to the optimal functioning of the Organization, his delegation agreed to further study of the issue with a view to ironing out the differences, as long as the principle of competitive examinations was maintained. The Secretary-General could submit a report on the matter, through ICSC, at the next session of the General Assembly.
5. The Netherlands delegation was concerned about the lack of progress in the recruitment of women in the United Nations and hoped that the next report would show an increase in the number of women in the Secretariat, particularly in the higher ranks of the Professional category.

(Mr. Crom, Netherlands)

6. In the view of his delegation, all aspects of the question of a review of the desirable ranges for Member States should be discussed and his delegation was prepared to take an active part in those discussions.

7. With regard to the representation of the staff in the Fifth Committee, there was room for improvement of the existing procedures for staff participation in matters which directly concerned it and his delegation looked forward to the Secretary-General's proposals on the subject.

8. Mr. SADDLER (United States of America) congratulated the Secretariat on its very clear and informative reports concerning personnel policies and recruitment objectives, for which the Fifth Committee assumed responsibility. Discussion of those items could not be isolated from related administrative and budgetary questions in view of the fact that personnel costs amounted to about 77 per cent of the total United Nations budget and that 11,109 staff were being requested for the biennium 1980-1981.

9. The United States continued to support the provisions of Article 101, paragraph 3, of the Charter, which not only stressed the need to secure staff with the highest standards of efficiency, competence and integrity, but the importance of recruiting staff on as wide a geographical basis as possible. It could not tolerate attempts to revise that paramount principle by circuitous means. It was determined to resist efforts to reduce the weight assigned to the value of contributions in establishing targets to reflect the geographical considerations laid down in the Charter. All the arguments invoked to that end could also be used to claim that payments towards the Organization's expenses should be relied upon as the only realistic criteria that established true equity.

10. His delegation attached the highest importance to the elimination of all forms of discrimination against women at all levels of the United Nations Secretariat. In pursuance of resolution 33/143, which the Assembly had adopted at its previous session, the number of women in posts at the D-1 level or higher had increased from 13 to 18. The appointment of two women to the Assistant Secretary-General level showed that more women could be appointed at senior levels not only by external recruitment, but by looking for them in the Secretariat, where talented women of all nationalities could be found. The very slight increase in the percentage of women in Professional and higher level posts was probably attributable to the very short time which had elapsed since the adoption of resolution 33/143 and acceptable results would be reported in 1980.

11. The proposal submitted by his delegation at the thirty-third session calling upon the Secretary-General to designate a high-ranking officer to serve as a focal point for all matters relating to equal employment and career development opportunities for women had not been included in resolution 33/143, but the Secretary-General had retained discretion to take that initiative. In order to ensure an improvement in the situation with respect to the recruitment of women, perhaps one of the two new women Assistant Secretaries-General might be asked to assume that additional task.

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(Mr. Saddler, United States)

12. His delegation accorded special attention to the revision of the Staff Rules covering the assignment of married couples to the same duty station, maternity leave, part-time employment and flexible working hours. It was therefore pleased to note that maternity leave had been extended from 12 weeks to 16 weeks with effect from 1 January 1980. However, it was not pleased with the current practice whereby a spouse or close relative was not appointed if another person with equal qualifications was available, contrary to the spirit of resolution 33/143.

13. The subject of career development of staff at all levels of the Secretariat did not appear to have received the attention it deserved. Since it was a matter of interest to all Member States, the reports to be submitted in 1980 might include a separate section on the progress being made, if any, in that respect.

14. The United States favoured practical measures designed to attract more young people into the United Nations Secretariat, but noted that the average age of the staff had decreased only very slightly in 1979 compared to 1978 and hoped that there would be more progress in 1980. However, it was not biased in favour of or against either youth or older persons and did not believe that people lost their professional abilities upon reaching the age of 60. The United Nations could benefit from extending the contracts of qualified persons beyond age 60 because compulsory retirement at that age was retrogressive, discriminatory and in conflict with the principles of the United Nations Charter. The existing rule was based solely on political considerations and should be changed if the Organization hoped to enjoy the high esteem it deserved. Consequently, the Secretary-General should be granted the flexibility requested in paragraphs 24-28 of his report, particularly for those posts having special language requirements or in the General Service and related categories.

15. His delegation had noted the increase in the total number and percentage of nationals from developing countries in the Secretariat and also in senior posts and did not share the view that developing countries as a whole were under-represented. Statistics showed that staff from developing countries were above the desirable ranges established for those countries at the grades of D-1 and above. In the past year, there had been 30 appointments to posts at those levels, 11 from developing countries, 4 from Eastern Europe, 3 from China and 12 from Western developed countries. One developing country alone had had three of its nationals appointed to Assistant Secretary-General posts out of a total of eight such appointments.

16. There were a good many figures in document A/34/408 and they were open to a number of interpretations. Comparisons could be made between the number of posts assigned to a given country as against that country's contribution to the regular budget, or between weighted and unweighted distribution of posts and other criteria, depending on what was to be proved. One thing was certain, and that was that the General Assembly had wrestled for a long time with the question of how best to implement the Charter provision that due regard should be paid to recruiting staff on as wide a geographical basis as possible. There were differences of opinion on that fundamental question. It had been suggested by some that there should be a link between the number of posts assigned to a Member State and whether

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(Mr. Saddler, United States)

that State was developing or developed. Others believed that the traditional logical relationship between contributions and posts must be maintained. The United States, for its part, considered that the United Nations stood to benefit from the presence in the Secretariat of nationals of all Member States because it made for a broad exchange of ideas. It agreed with the Secretary-General that geographical distribution should not be sought through the rigid application of a mathematical formula to the exclusion of other valid considerations.

17. His delegation reaffirmed, as it had done at the previous session, its willingness to engage in a broad exchange of views on any matter of concern, including the topic of desirable ranges. However, if another study was to be requested, it should not be an exercise in supporting pre-selected conclusions.

18. As for how the Administration should interpret resolution 33/143, his delegation was somewhat concerned by the unduly restrictive application of some of the provisions. In several specific cases, the Administration had invoked resolution 33/143 to justify not recruiting candidates or not extending contracts or had claimed that the country of origin of the candidates was over-represented even though the three persons in those specific cases met the highest standards of efficiency, competence and integrity required under the Charter. The Secretariat did, however, apply the provisions of resolution 33/143 to the promotion, assignment and transfer of staff, which was contrary to the principle of an independent international civil service. The United States was very much concerned about the subjective bias shown towards United States nationals in the United Nations and would use the various devices available to it to counter that practice. It had never been its understanding that resolution 33/143 constituted an absolute bar to the recruitment, extension or granting of permanent contracts to persons from over-represented States. It would welcome assurances that the resolution would be implemented in future with justice and wisdom because it would never have voted in favour of a resolution intended to exclude its citizens from future recruitment to the Secretariat.

19. The forthcoming competitive examinations governing promotion from General Service to the Professional category had raised many questions. He felt that the competitive methods of selection prescribed in resolution 33/143 should not be construed to mean reliance solely on competitive examinations. On balance, the competitive examinations scheduled for November did not seem to be the only or the best method of selection. There were specific situations predating the adoption of resolution 33/143 where it would have been fairer to exempt certain staff members from those examinations. If the Secretary-General should decide to postpone the examinations for good reason, his delegation would support that decision.

20. On the subject of General Service staff, it was clear from paragraphs 36 and 37 of document A/34/408 that the appropriate provisions of resolution 33/143 were being successfully implemented. His delegation believed that the measures called for in the resolution were quite important and also the other recommendations of the Joint Inspection Unit. As for the proposal to establish a common recruitment service in Geneva which, according to the Administrative Committee on Co-ordination (ACC), would be at least as costly as present arrangements without necessarily being

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(Mr. Saddler, United States)

more efficacious, the United States delegation believed that there were advantages and economies to be achieved from such a service and that ACC should at least give the proposal a fair trial.

21. The question of the channels through which the Secretariat staff should have access to the Fifth Committee in order to express its views had been repeatedly raised. Under the Charter, the Secretary-General appointed the staff under regulations established by the General Assembly. His delegation believed in abiding by the principles of the Charter, that is, that the staff should have access to the Secretary-General, and it would examine with interest any proposals put forth by the Secretary-General designed to achieve that objective. The staff of the Secretariat constituted a single entity, whether they were from developing or developed nations. While the General Assembly determined the policies that controlled the United Nations, without a staff which met the highest standards of efficiency, competence and integrity, there would be no United Nations. The staff, the developing and the developed countries formed an indissoluble whole. The majority and the minority were bound together and experience had shown that a majority could not thwart the legitimate rights of a minority. The members of the Fifth Committee should seriously reflect on those considerations if they wanted justice and wisdom to prevail.

22. Mr. ALLAFI (Libyan Arab Jamahiriya) said that the report in document A/34/408 was acceptable from the technical standpoint and satisfactory in its presentation. Having studied the document and heard the statement of the new Assistant Secretary-General for Personnel Services, who was unquestionably competent and had valuable experience in the field, his delegation wished to make certain observations.

23. The General Assembly had adopted many resolutions on personnel questions. Unfortunately, it seemed that in a number of cases they had been applied in a way which was not in conformity with either the letter or the spirit of those texts. While there was no question that the application of those resolutions could give rise to problems, it must be recognized that there had been a lack of vigilance in recent years and that certain problems had been allowed to become aggravated without the necessary effort to remedy them being made. It was as though, contrary to the well-known saying, cure had been deemed preferable to prevention. With reference more specifically to resolution 33/143, he said that it was difficult, less than a year after its adoption, to reach a final judgement on the results of its application. In that connexion, it was necessary to be pragmatic and allow those concerned sufficient time to carry out the provisions of that resolution, within reasonable limits.

24. As to the representation of Member States (A/34/408, paras. 4 to 8) table B showed the gulf separating developed from developing countries in that regard. While the percentage of unrepresented countries had declined from 1978 to 1979, that of the over-represented countries had increased during the same period: there could thus be no talk of general progress. It should be noted in that connexion that, with one exception, all the unrepresented Member States had a desirable minimum range. It was surprising, therefore, that of the roughly 300 posts subject

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(Mr. Allafi, Libyan Arab Jamahiriya)

to geographical distribution which the Secretariat filled each year it had not been possible to reserve for the unrepresented States the modest number of posts which would have enabled them to be removed from the category of such States.

25. Studying the distribution of posts by region, one could not but be struck by the fact that Africa, which in 1969 had represented one third of the States Members of the United Nations, had at that time had 217 staff in the Secretariat. Ten years later, the figure was 362. Western Europe, on the other hand, which had included 17 States Members of the United Nations in 1969, had had 477 posts at that time and today, with the addition of one more Member State, had 649, or almost twice the number of posts held by Africa. That comparison offered convincing evidence that the goal of a balance between developed and developing countries was still far off.

26. In his view, it was high time that the United Nations revised its method of calculating desirable ranges. The fact was that the criteria used for that calculation had benefited many Member States which were now greatly over-represented. His delegation therefore joined those delegations which had insisted on the need to establish within the Secretariat a balance based on equality and justice.

27. It was stated in paragraph 6 of the Secretary-General's report (A/34/408) that, thanks to the appointment of two of its nationals, the Libyan Arab Jamahiriya now came within its desirable range. It could also be seen that 93 nationals of over-represented Member States had also been engaged, or 30.7 per cent of the total of appointments to posts subject to geographical distribution. It was difficult to see what justified that high percentage, for there most certainly were in the under-represented or unrepresented countries candidates who were just as qualified as candidates in other countries. For example, the United Nations had had before it for a year the candidacies of four Libyans of undeniable competence, on whose applications it had not yet taken a decision. Therefore, any tendency arising within the Committee which was directed towards perpetuating an abnormal situation that was contrary to justice and equity must be strongly opposed. It might well be asked if the Secretary-General had really applied in the case of the 93 staff members in question the guidelines he set forth in paragraph 7. It was hard to believe that the United Nations, with the means at its disposal, had not been able to find a sufficient number of candidates elsewhere. In that connexion, it was also surprising that 39 posts, according to table 10, should be held by nationals of States which were not members of the United Nations and stateless persons. How could that choice be understood when the posts in question could have been filled by nationals of unrepresented or under-represented countries?

28. His delegation was satisfied with the explanations given in paragraph 9 concerning the composition of staff at the senior level. On the other hand, it was surprised at the contents of paragraphs 12 and 13 concerning age distribution. The General Assembly had requested that the average age of staff at the P-1 and P-2 levels should be reduced to 35. Yet table D indicated that the average age of staff at the P-2 level had risen from 39.32 in 1975 to 40.28 in 1979. That meant that a large number of the persons considered had been over 40 at the time when they entered

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the service, which was confirmed by the high figures in the "40-44" column in that table. The number of staff in that age group had risen from 429 in 1975 to 510 in 1979. According to the Assistant Secretary-General for Personnel Services, the Secretary-General had tried to maintain the average age of members of the Secretariat by recruiting seven staff members under 27 for P-1 posts. Nevertheless, it could be seen that the average age of staff holding P-1 posts had increased, from 35.81 years in 1975 to 37.98 years in 1979, and that the age of staff holding P-2 posts had increased from 39.32 in 1975 to 40.28 in 1979. It was surprising in that connexion that the statistics in table D gave the total of average ages for the posts subject to geographical distribution and for language posts without distinguishing between them. He therefore felt that the need to give young people the opportunity to participate in the work of the United Nations should be reaffirmed.

29. His delegation approved of the contents of paragraphs 14 to 16 of the Secretary-General's report, concerning procedures followed in filling vacancies, as well as the guideline set forth in paragraph 23, concerning staff mobility. In most national administrations, if a staff member refused a transfer, without a valid reason for doing so, that could retard his advancement. In applying that principle, however, it was essential to be cautious, to ensure fairness and not to discriminate against one staff member for the benefit of another.

30. In paragraphs 24 to 28, concerning extensions beyond the age of retirement, the Secretary-General described the measures he had taken in that connexion. His delegation felt that there should be no derogation from the age-limit principle except in cases of extreme necessity. Too much flexibility with regard to the matter could serve as a pretext for again upsetting the balance in the composition of the Secretariat. It likewise considered that the policy of relying on free-lance interpreters and translators was questionable. The solution to the problem of language staff consisted not in retaining specialists after the age of 60 but in adopting once and for all a general long-term plan to enable the United Nations to secure the services of the personnel required. If the United Nations was willing to make for a certain amount of time the financial effort required for the setting up of a programme of that kind, it would save money in the long run, for it would not be obliged to accept, in urgent cases, the conditions which independent interpreters and translators might impose or run the risk of not having enough really competent specialists available.

31. With regard to paragraphs 11 and 29 to 35, which related to the employment of women in the Secretariat, he said that his delegation was always in favour of any action that was likely to improve the status of women. Women currently held 18.6 per cent of the Secretariat posts subject to geographical distribution. That was a satisfactory development and should be encouraged so as to reach eventually the 25 per cent target fixed by the General Assembly in resolution 33/143. However, discrimination against women was still very real in the Secretariat, as attested, for example, by the fact that women were not represented at all at the highest levels of the hierarchy. Women should have all the rights enjoyed by their masculine colleagues when they had the same functions. That principle applied

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inter alia to the machinery for appointment and promotion, including appointment and promotion to the highest posts, and to all the female staff in the General Service category, whose work was so essential to the functioning of the United Nations. Naturally, it was difficult to find candidates in the developing countries, but they most certainly existed. In that connexion, the Libyan Arab Jamahiriya was ready to co-operate fully with the Secretariat, for in his country women had proved that they were capable of assuming the most difficult functions with competence.

32. Mr. ELARABY (Egypt) noted that in his report on the work of the Organization (A/34/1) the Secretary-General had said that the concept of an international civil service was "at the heart of efforts to build an effective system of world order" and that the international civil service was "at present at a critical juncture". All Member States therefore had an interest in ensuring that personnel policy was properly carried out. Egypt, for its part, made some of its most highly qualified and talented nationals available to the Secretariat and participated actively in the deliberations on personnel policy. It felt that an effective and impartial international civil service could be maintained only through the existence of a strong administration headed by the Secretary-General and acting in accordance with guidelines laid down by the General Assembly.

33. When explaining its vote on resolution 33/143, his delegation had expressed concern that the resolution could be used as an instrument for discrimination against the over-represented group of Member States, which constituted more than one third of the Members of the United Nations. It would appear that that concern had indeed been well founded, for the resolution in question had been subjected to various interpretations with regard to recruitment from over-represented countries. The guidelines set forth by the Secretary-General in paragraph 7 of his report (A/34/408) could give the impression that recruitment from those countries had been stopped, which would be contrary not only to the provisions of resolution 33/143 but also to Article 101, paragraph 3, of the Charter. Fortunately, recruitment from over-represented countries, although it had been reduced, had not been entirely discontinued.

34. Neither resolution 33/143 nor any other resolution of the kind could be interpreted as running counter to Article 101, paragraph 3, of the Charter, which represented the very essence of the personnel policy of the United Nations. Moreover, the Assistant Secretary-General for Personnel Services had reaffirmed that he was resolved not to deviate from the cardinal principle of "the necessity of securing the highest standards of efficiency, competence and integrity" as set forth in the Charter.

35. With regard to the representation of Member States, it was encouraging to note that the number of nationals of developing countries at the senior level was increasing, as shown in table C of the Secretary-General's report. It should be noted, however, that 29 developed countries, or less than one fifth of the total membership of the United Nations, shared 59 per cent of all senior-level posts in 1979. Efforts to eliminate that anomaly should be intensified.

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(Mr. Elaraby, Egypt)

36. Unlike other subsections of document A/34/408, that dealing with the question of inheritance of posts unfortunately did not give sufficient information. It was to be hoped that the next report would be more complete in that respect.

37. With regard to the movement of personnel from the General Service category to the Professional category, his delegation agreed with the Secretary-General that competitive examinations provided the most appropriate method of selection. However, it seemed that the issue of competitive examinations had given rise to some concern among some of the staff. It should be stressed that the purpose of the relevant provision of resolution 33/143 was to enhance the effectiveness of the Secretariat as a whole and not to threaten certain segments of the staff or jeopardize opportunities for promotion. The intent was to establish a system of promotion which would be objective and fair. In that connexion, his delegation noted with satisfaction that the Administration had overcome some of the concerns of the staff and was in the process of dealing with the others. His delegation's position on the matter was that the preparation for and carrying out of the examinations was the responsibility of the Secretary-General but that the views of the staff should also be taken into account.

38. With regard to the question of desirable ranges, the Secretariat should make a further study in the near future of the formulae used. The criteria that determined the desirable ranges should be modified. Under the existing system the weight given the contribution of States was excessive, which worked against the interests of the vast majority of Member States, namely, the developing countries. The only proper way of rectifying that situation was to attribute greater weight henceforth to the "membership" factor.

39. Mr. JONAH (Assistant Secretary-General for Personnel Services) said that due account would be taken of some of the observations made during the discussion on personnel questions. However, he wished to stress that the Secretary-General's task was not made easier by remarks which seemed to suggest that he had not applied strictly enough the relevant resolution of the General Assembly. He himself was determined not to take any account, in the exercise of his functions, of any remarks to the effect that some would be unable to tolerate certain measures.

40. He then replied to the questions raised by certain delegations. The representative of Austria had asked a number of questions on the use of the candidates roster. The relevant information was to be found in the document issued under the symbol A/C.5/34/CRP.3. The percentage of female staff in Professional posts had now reached 18.6 per cent, although the percentage of appointments of women during the most recent reporting year was only about 15.5 per cent. The difference resulted from the promotion of female staff members from the General Service to the Professional category during that period. With regard to policy concerning age structure, the Austrian representative had asked why no serious attempt had been made to lower the average age of staff. It was indicated in paragraph 13 of the Secretary-General's report that in order to reduce the average age an effort was being made to avoid the appointment of staff at each level above a certain age. It should be noted, however, that quick

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progress could not be expected because the age distribution of such a large group was something that could be affected only in a very small way each year.

41. Several delegations, including that of Trinidad and Tobago, has raised questions concerning the age of retirement. The application of the relevant rules had given rise to enormous difficulties but he was determined to apply the decisions of the General Assembly, regardless of his own personal opinions.

42. Since 1 January 1979, 122 requests for extensions beyond the age of retirement had been submitted, of which 102 had been granted. The General Assembly had requested the Secretary-General not to grant extensions except for the minimum time required to find a suitable replacement. The Secretariat, however, had applied that directive with flexibility, having regard in certain cases to humanitarian considerations. That explained the high number of extensions granted. Moreover, extensions of up to 12 months had been granted at the beginning of the year. However, as indicated in the report, the various units had since received strict instructions in that connexion, and the Secretariat would in the coming months see that the purpose of the General Assembly was more faithfully respected.

43. With regard to the exceptions envisaged for the language services and certain General Service staff, the heads of the Departments concerned had promised that their requests for extensions would not be excessive. Those requests would be studied carefully.

44. As to the competition for General Service staff seeking Professional posts, the Administration was concerned at the fact that some delegations had requested the postponement of the examination planned for November, which had created confusion among staff members. However, that request had been made by only five delegations, while the majority of the members of the Committee had requested that the examination should be held on the scheduled date. In that connexion, it would be desirable to clear up any misunderstanding as to the Fifth Committee's attitude on the subject of competitive examinations. The Secretary-General had tried to allay some of the fears expressed by the staff and he could assure them, inter alia, that the staff members concerned were in no danger of losing their posts or their jobs.

45. With regard to the date of the examination, he noted that the Administration had not applied any rigid principle. Originally the examination had been planned for 1980, but the staff had preferred 1979, and the Training and Examinations Service had therefore been instructed to devote all its time to the examination so that it could be held in November. However, that change had not been made without producing repercussions. For example, it had proved impossible to hold at the end of 1979 the examination for Japanese nationals, the date for which was now March 1980. The representative of Italy had also requested that a competition should be held in his country. Moreover, the examinations for recruitment for the language services, which were to be held during the first half of 1980, must be taken into account. The number of those examinations naturally raised problems of organization. The Administration would try to make maximum use of the resources available to it in that field, but it would ask for additional resources at a later date.

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(Mr. Jonah)

46. In addition, some delegations had expressed their concern with regard to the confidentiality of the forthcoming examination. He wished to assure them that very strict security measures had been taken in that connexion. It was true that very disturbing rumours had spread throughout the Secretariat: adopting a new tactic, those opposed to the examination had spread a story to the effect that the topics of the examination were being leaked. The story had been checked and found to be entirely without foundation.

The meeting rose at 1.05 p.m.